



United States Department of Agriculture

United States
Department of
Agriculture

Office of the Chief
Information Officer

1400 Independence
Avenue SW
Washington, DC
20250

July 1, 2019

Delivered via Electronic Mail

Austin R. Evers
American Oversight
1030 15th Street NW
Suite B255
Washington, DC 20005
foia@americanoversight.org

**Re: Third Interim Response for Freedom of Information Act (FOIA)
Request No. 2019-DA-01677-F**

Dear Mr. Evers:

This is a third interim response to the above-referenced FOIA request, for the following records:

1. Records sufficient to identify all employees who entered into a position at the agency as “political appointees” since the date the search was conducted for FOIA request number 2018-OCIO-01202-F (the “Relevant Date”)] and the title or position of each employee (to the extent that such individuals have held multiple titles or positions since the Relevant Date, identify each title or position). For purposes of this request, please consider any employee in a PAS position, a presidentially-appointed position, a non-career SES position, a Schedule C position, or any administratively-determined position to be a “political appointee.”
2. Records sufficient to identify all career employees who have been detailed into a leadership office or component front office since the Relevant Date (as that term is defined in request 1); the title or position of each employee while on detail; and each employee’s originating agency or component, and prior title (to the extent that such individuals have held multiple titles or positions since the Relevant Date, identify each title or position).
3. For each individual identified in response to requests 1 to 2:
 - a. The resume provided by the individual to the agency in connection with determining the appropriate salary for the individual, or, if that is not available, a recent resume contained within the agency’s records. We have no objection to the redaction of contact information (addresses, telephone numbers, e-mail addresses) for the employee or references, or to the redaction of past salary information. Employment, education, and professional association information is not exempt and we object to any redactions of such information.
 - b. Any conflicts or ethics waivers or authorizations for the

individual, including authorizations pursuant to 5 C.F.R. § 2635.502.

c. Records reflecting any recusal determination made or issued for the individual.

d. Copies of any SF-50 forms for the individual reflecting any change in position or title, including when the employee enters or leaves a position. We have no objection to the redaction of home addresses, telephone numbers, or social security numbers from the SF-50s.

4. For all employees who entered into a position at the agency as “political appointees” prior to the Relevant Date (as that term is defined in request 1)], and all career employees who have been detailed into a leadership office or component front office prior to the Relevant Date:

a. Any resume provided by the individual to the agency after the Relevant Date. As noted above, we have no objection to the redaction of contact information (addresses, telephone numbers, e-mail addresses) for the employee or references, or to the redaction of past salary information. Employment, education, and professional association information is not exempt and we object to any redactions of such information.

b. Any conflicts or ethics waivers or authorizations for the individual created after the Relevant Date, including authorizations pursuant to 5 C.F.R. § 2635.502.

c. Records reflecting any recusal determination made or issued for the individual after the Relevant Date.

d. Copies of any SF-50 forms for the individual reflecting any change in position or title, including when the employee enters or leaves a position, created after the Relevant Date. We have no objection to the redaction of home addresses, telephone numbers, or social security numbers from the SF-50s.

On April 4, 2019, a first interim response was provided to you with records responsive to items 1 and 3a, totaling one hundred and seventeen (117) pages. On April 29, 2019, a second interim response was provided to you, pertaining to items 2, 3b, 3c, 3d, 4b, 4c, and 4d, whereby records totaling one hundred and thirteen (113) pages were released.

Your request is being processed under the FOIA, 5 U.S.C. § 552.

A search for records responsive to item 4a was conducted by the Office of Human Resource Management (OHRM). The OHRM facilitates the attainment of the Department’s strategic goals and program objectives by ensuring the recruitment and retention of a diverse, highly-skilled

Austin R. Evers
2019-DA-01677-F

workforce that is aligned with program needs while promoting a competency-based and results-oriented performance culture at USDA. The Executive Resources Management Division (ERMD) supports the OHRM in managing human resource policies and programs for the Senior Executive Service, Senior Level and Scientific personnel, Senior Science and Technology Service personnel, excepted service positions, and political appointments for USDA. There are no responsive records to this part of the request.

A search was also conducted by the Office of Ethics (OE) for records responsive to items 3b and 3c pertaining to the individuals identified in the record responsive to Item 2. The OE provides ethics advice, counseling, and education, as well as manages the financial disclosure report process. No responsive records exist for these parts of the request.

The DFO continues processing the remainder of your request; specifically, for any additional records responsive to item 3a. The final response letter will advise you of your right to appeal the DFO's final determinations.

If you have any questions regarding the processing of this request, please contact Ms. Camille Aponte at (202) 694-5260, or electronically at Camille.Aponte@ocio.usda.gov or USDAFOIA@ocio.usda.gov.

For additional information regarding USDA FOIA regulations and processes, please refer to the information available online at www.dm.usda.gov/foia.

The DFO Team appreciates the opportunity to assist you with this matter.

Sincerely,

ALEXIS GRAVES

Digitally signed by ALEXIS
GRAVES
Date: 2019.07.01 16:10:38
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Alexis R. Graves
Departmental FOIA Officer
Office of the Chief Information Officer